

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER  
FEBRUARY 22, 2005**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, February 22, 2005 in the Council Chambers of City Hall located at 610 Main Street.

**CALL TO ORDER**

Mayor William J. Schmitt who presided called the meeting to order at 8:00 a.m.

**ROLL CALL**

Mayor William J. Schmitt	present
Board member Victor J. Knies	present
Board member Thomas R. Schmidt	present

Also present were Police Chief Richard Gunselman, City Engineer Chad Hurm, Fire Chief Kenneth Hochgesang, Building Commissioner David Seger, City Attorney Sandra Hemmerlein and Clerk-Treasurer Juanita Boehm. Street Commissioner Raymond Eckerle and Personnel/Safety Director Charles Schneider were absent.

Clerk-Treasurer Juanita Boehm announced that a majority of the board members must be present for a quorum. All three of the board members were present; therefore, there was a quorum for the meeting.

**PLEDGE OF ALLEGIANCE**

Mayor Schmitt invited all present to join him in the Pledge of Allegiance.

**APPROVAL OF THE MINUTES**

The board members examined the minutes of the regular meeting held on February 8, 2005. A **motion** was made by Victor Knies and seconded by Thomas Schmidt to approve the minutes as presented. Motion carried 3-0.

**MEMORANDUM OF EXECUTIVE SESSIONS**

Mayor Schmitt announced that at 8:00 a.m. on Thursday, February 17, 2005, and at 8:00 a.m. on Friday, February 18, 2005, the Board of Public Works and Safety conducted executive sessions.

Mayor Schmitt explained that the purpose of the executive sessions was to interview applicants for two positions of Probationary Police Officer for the Jasper Police Department. Mayor Schmitt read the Memorandums for the two Executive Sessions and requested incorporating the Memorandums into the minutes. {See attachments}.

On **motion** by Thomas Schmidt and seconded by Victor Knies the Memorandums of the Executive Sessions of the Board of Public Works and Safety, which were held on February 17, 2005 and February 18, 2005, were accepted and entered into the records. **Motion** passed 3-0.

### **AIR BOTTLES – FIRE DEPARTMENT**

Fire Chief Kenny Hochgesang reported that the Fire Department's Air Packs had passed annual certification, as required by OSHA. He stated that the shelf life of the bottles that contain the air is fifteen years and that eight (8) bottles need to be disposed of and replaced. He requested replacing 8 bottles at a cost of \$332.00 for each kit for a total price of \$2,656 from M & S Fire & Safety, Inc.

A **motion** was made by Victor Knies and seconded by Thomas Schmidt to approve the replacement of eight (8) air bottles at \$332.00 each for a total cost of \$2,656.00 from M & S Fire & Safety, Inc. **Motion** passed 3-0.

**Comment.** Fire Chief Kenny Hochgesang informed the board that twenty-five bottles would need to be replaced in 2009.

### **CHAIR TRANSFER**

Fire Chief Kenny Hochgesang reported that JOFCO had recently donated an executive chair to the fire department and that the park and recreation maintenance garage had requested the old executive chair. Hochgesang requested removing the old executive chair from the fire department's assets and sought permission to transfer that executive chair from the fire department to the park and recreation's maintenance garage.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the transfer of the present executive chair from the fire department to the park and recreation's maintenance garage. **Motion** passed 3-0.

### **716 E. 12<sup>TH</sup> STREET – BURGDORF PROPERTY**

Building Commissioner David Seger gave a report on the condemnation process on the Burgdorf property at 716 E. 12<sup>th</sup> Street. He said the residents had moved out, utilities had been disconnected, and that the 30 day period to vacate or repair expires tomorrow. Seger also reported that the property is in terrible condition. Seger said the property taxes on the real estate had been paid by Joseph Helming through a tax sale. Mr. Helming had written to the City of Jasper requesting assistance in cleaning up the property and stabilizing the building.

There followed much discussion. Thomas Schmidt was concerned about the refrigerator and trash outside the house and Victor Knies asked if the City had the legal right to enter the property. City Attorney Sandra Hemmerlein responded that the City had the right by virtue of the unsafe building law. She also said that a lien could be placed on the property if there were any costs in cleaning up accumulated trash.

On **motion** by Mayor Schmitt and seconded by Victor Knies permission was given to have City representatives work with Joseph Helming to clean up the property at 716 E. 12<sup>th</sup> Street. **Motion** carried 3-0.

### **DUBOIS COUNTY VETERANS COUNCIL MEMORIAL DAY SERVICES**

Charles R. Parker, representing the Dubois County Veterans Council, requested closing the street on the west side of the courthouse square for approximately two hours on Saturday, May 28<sup>th</sup>, 2005 for the Memorial Day Service that begins at 11a.m. Mr. Parker also requested the use of the City Hall parking lot.

He also stated that the Dubois County Commissioners had granted approval for use of their property for the event.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of the Dubois County Veterans Council to utilize the street and City Hall parking lot as in previous years in order to hold a Memorial Day Service on Saturday, May 28, 2005 subject to their contacting the street department for the proper placement of barricades. **Motion** carried 3-0.

#### **TEMPORARY CLOSURE – NEWTON STREET & 4<sup>TH</sup> STREET**

Jon Fleck, 419 E. State Road 164, representing Fleck Roofing, requested closing the northbound traffic lane on Newton Street in order to replace a roof on a building located on the northeast corner of Newton and 4<sup>th</sup> Streets. Mr. Fleck stated that he would like to start on Sunday, February 27, 2005 because traffic would be lighter on Sundays and that the work would be completed, weather permitting, on one or two Sundays. Police Chief Richard Gunselman stated that Newton Street is actually State Road 164 and that permission would also have to be sought from Indiana Department of Transportation (INDOT).

A **motion** was made by Mayor Schmitt and seconded by Victor Knies to approve the request of Fleck Roofing to close the northbound traffic lane and sidewalk at the northeast corner of Newton and 4<sup>th</sup> Streets on Sunday, February 27, 2005 and recommended Mr. Fleck seek permission from INDOT as Newton Street is a state highway and to contact the street department for barricades. Motion passed 3-0.

#### **CONTROLLED BURN – BRENTWOOD SUBDIVISION**

Craig Knies, representing Knies Construction, requested approval for an air curtain controlled burn for the Brentwood Subdivision. He stated that Knies Construction has been contracted by Holweger Development and Construction, Inc. to operate the controlled burn. Mr. Knies stated that he had the necessary permit from Indiana Department of Environmental Management (IDEM) and that he had contacted the Dubois County Health Department, Dubois County Sheriff's Department and the Jasper Volunteer Fire Department, as required by the permit. Police Chief Richard Gunselman requested that Knies Construction also notify the Jasper Police Department on the days of the burn. During discussion, Thomas Schmidt asked how long the burn would take and Mr. Knies responded that the burn would take over a period of several weeks.

A **motion** was made by Victor Knies and seconded by Mayor Schmitt to approve the request of Knies Construction to allow a controlled burn, with permission in hand from IDEM, and contact police & fire departments when date of burn is scheduled to begin. **Motion** passed 3-0.

#### **VINCENNES UNIVERSITY – NEW ROAD**

City Engineer Chad Hurm reported that the newly constructed road into Vincennes University Jasper Center is open as a private road. He said the University has received assurances from Knies Construction, the contractor, that the erosion problems would be taken care of as soon as weather permits. Hurm stated that the City would not take possession of the street as a city street until all erosion problems have been solved and grading and seeding has been completed.

### **NO PARKING – WEST 9<sup>TH</sup> STREET**

City Engineer Chad Hurm presented a street map of the West 9<sup>th</sup> Street area between Bartley Street and Main Street. He explained that in reviewing the “no parking” ordinance for West 9<sup>th</sup> Street, the ordinance needed to be corrected as follows:

(1) NINTH STREET. North side between Newton and Soliga Streets; South side from Bartley Street fifty (50) feet east; South side from the north and south alleys between Newton Street and Clay Street to Newton Street; North side from north and south alley between Newton and Main to Newton Street.

A **motion** was made by Mayor Schmitt and seconded by Victor Knies to recommend to the City Council to change the no parking ordinance for West 9<sup>th</sup> Street as follows: prohibit parking on north side between Newton and Soliga Streets; South side from Bartley Street fifty (50) feet east; South side from the north and south alleys between Newton Street and Clay Street to Newton Street; North side from north and south alley between Newton and Main to Newton Street. **Motion** carried 3-0.

### **TRAFFIC AND SPEED STUDIES EQUIPMENT**

City Engineer Chad Hurm reported that the traffic speed study on Third Avenue is ongoing and that he is gathering information on traffic logging equipment.

### **POLICE DEPARTMENT PROBATIONARY POLICE OFFICERS**

Mayor Schmitt reported that the eight applicants who were interviewed for two police officer positions were excellent candidates.

A **motion** was made by Mayor Schmitt and seconded by Victor Knies to offer a “Conditional Offer of Employment” to Aaron L. Persohn for the position of Jasper Police Department Probationary Police Officer, and that this position will become effective after all conditions of the “Conditional Offer of Employment” are met, but not before Sunday, March 20, 2005 and that Mr. Persohn remain in his position as a Communications Officer for the Jasper Police Department as long as is needed because of the 911 issues. **Motion** passed 3-0.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to offer a “Conditional Offer of Employment” to Allan S. Foy for the position of Jasper Police Department Probationary Police Officer, and that this position will become effective after all conditions of the “Conditional Offer of Employment” are met, but not before Sunday, March 20, 2005. **Motion** passed 3-0.

During discussion, Police Chief Richard Gunselman requested that the police department keep the six remaining applicants on an eligibility list for two years at the board’s discretion.

A **motion** was made by Victor Knies and seconded by Thomas Schmidt to retain the six remaining applicants on an eligibility list for the next two years at the board’s discretion. **Motion** passed 3-0.

## **REPLACEMENT VEHICLE**

Recently, Mayor Schmitt purchased a new vehicle with a trade-in of a 2000 Chrysler Concorde. In order for the Jasper Police Department to upgrade vehicles by buying the 2000 Chrysler Concorde, Police Chief Richard Gunselman requested trading in the police department's 1994 Pontiac Grand Prix instead of the Concorde. Ruxer Ford has agreed to exchange the vehicles for an additional cost of \$5,800. Gunselman asked the Board to allow these transactions. Mayor Schmitt stated that this was a good opportunity for the police department to upgrade vehicles.

A **motion** was made by Victor Knies and seconded by Thomas Schmidt to approve the request of the police department to trade the 1994 Pontiac Grand Prix instead of the 2000 Chrysler Concorde plus pay an additional cost of \$5,800. **Motion** passed 3-0.

## **BODY ARMOR**

Police Chief Richard Gunselman requested purchasing three new additional body armor vests. He explained that the two new officers would need the vests and that he had recently learned that Sergeant Kamman's vest needed to be replaced. He related that each body armor would cost \$484.10 for a total cost of \$1,452.30. During discussion, Mayor Schmitt asked about the donation of the tactical body armor that was to be donated to the Tell City Police Department and also wanted to know what happens to out-of-date body armor. Gunselman responded that City Attorney Sandra Hemmerlein is preparing a Hold Harmless Agreement for the body armor to be donated to the Tell City Police Department and that any other out-of-date body armor is stockpiled at the police department.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of the police department to purchase three additional body armor vests for a total cost of \$1,452.30. **Motion** passed 3-0.

## **TASER WEAPONS**

Thomas Schmidt asked Police Chief Richard Gunselman if the Jasper Police Department had any taser weapons and if they had ever been used. Gunselman responded that the Jasper Police Department has taser weapons and that officers have been properly trained to use such weapons. He also stated that tasers were used on one occasion and there were no adverse effects.

## **ADJOURNMENT**

There being no further business to come before the board, a **motion** was made by Victor Knies and seconded by Thomas Schmidt to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:00 a.m.

---

**Mayor William J. Schmitt**  
**Presiding Officer**

**Attest:**

---

**Juanita S. Boehm, Clerk-Treasurer**  
Cynthia Kluemper, Recording Secretary